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C O N F I D E N T I A L SECTION 01 OF 02 GUATEMALA 000636

SIPDIS

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TAGS: PREL PHUM MOPS BEXP GT CU KICC

SUBJECT: MEETING WITH FOREIGN MINISTER GUTIERREZ

REF: GUATEMALA 511

Classified By: AMBASSADOR JOHN R. HAMILTON, AMERICAN EMBASSY GUATEMALA.

REASON: 1.5 (d)

¶1. (SBU) Ambassador met one on one for a few minutes with FM Gutierrez March 7 on the heels of the fourth high-level working group meeting on narcotics, which the two had just chaired. That meeting is being reported septel. Following is a quick rundown:

Gutierrez in Washington

¶2. (SBU) The FM is making a proposal to the OAS Permanent Council to charge the Unit for Promotion of Democracy with managing a system of early warning for developing situations of ungovernability. He describes it as a proposal for a pilot program. Gutierrez hopes to schedule appointments in the Department (WHA only) the afternoon of March 17; the Guatemalan embassy in Washington will seek the appointments. Gutierrez is traveling on to Geneva after that.

Cuba

¶3. (SBU) The Ambassador raised the Cuba resolution again, briefing Gutierrez on his conversation with President Portillo (reftel) and making the point again that pique over unrelated issues is not a posture for a serious government to be caught in. Gutierrez pledged that his recommendation to President Portillo would be based on &Guatemalan national interest and international relations,⁸ including the importance of Guatemala's relations with the U.S. The Ambassador told him that this resolution is the way in which the international community keeps faith with the democratic opposition in Cuba, brave individuals who endure incredible hardship to keep the democratic aspirations of the Cuban people alive. They deserve the support of people, like Gutierrez himself, who know what it means to suffer under undemocratic regimes. Gutierrez said this was a good point and, recalling a report from Guatemalan ambassador to the U.S. Arenales on his lunch with NSC's Emilio Gonzalez, said that the visit here this week of the Cuban FM reflected a programming decision made months ago, before he became FM, and is not UNHRC-related.

¶4. (C) Comment: This last should not be taken seriously.

Article 98

¶5. (SBU) The Ambassador asked if the latest feedback from MFA staff (asking to reorder some text but not to change it) indicated that a political decision had been made to reach an Article 98 agreement. The FM said no, not yet, as he had not yet really pushed the issue with President Portillo. Reminded of the approaching July 1 cutoff of IMET absent an agreement, he said he would jack up the priority of this issue.

New Horizons

¶6. (SBU) The FM took note of the Ambassador's brief on plans for a NH exercise next year and the need for an exercise-specific SOFA agreement.

Human Rights case

¶7. (C) The Ambassador raised the case of journalist Mariellos Monzon, who has reported middle-of-the-night menacing phone calls and like harassment. When Monzon met with the DCM March 5, she had heard nothing from the government about her situation (amply reported in the press). Gutierrez said he had raised her situation with Government Minister Reyes only the day before, and thought she would be getting a call offering support.

Railroad Development Corporation (RDC) complaint

¶8. (C) The Ambassador raised with Gutierrez a complaint of RDC, which has a US\$10 million investment here in a 50-year concession granted in 1997, that they are being extorted for \$500,000 over a legally bogus usufruct issue. Gutierrez said he would take the issue to President Portillo and phoned March 10 to say he had done so and that the President, concerned, wanted more details. We are providing a non-paper based on information provided by RDC.

Clandestine Groups Commission

¶9. (SBU) Gutierrez said he had already sent invitations to UN and OAS Secretaries General Annan and Gaviria, respectively, asking that they name a Commission member. Although there is not yet overall agreement on the scope, size and mandate of the commission, Gutierrez said there is no disagreement on UN and OAS participation and he thought extending the invitations would help build confidence with the Guatemalan NGO community. Pressed on the issue of size (five versus three members), which is the most contentious, Gutierrez stuck to a repetition of the Government's thinking behind its preference for a larger commission. He nonetheless expressed confidence that agreement should be possible during the visit of Human Rights Watch executive Jose Miguel Vivanco the week of March 10 and said the MFA has prepared legislation authorizing the Commission for Congressional consideration.

Presidential meeting

¶10. (SBU) In a follow-on phone call, Gutierrez asked if the April 11 meeting between the President and the Central American presidents is now &official,⁸ i.e., public. The Ambassador said no and that it is the prerogative of the White House to make the announcement. Gutierrez pledged not to confirm the meeting to the press which, because word appears to have filtered out elsewhere in the region, is asking.

HAMILTON